

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA,  
Plaintiff**

**v.**

**[6] BROOKE DIOR BROOKS,  
Defendant.**

**CRIMINAL NO. 4:24-cr-143**

**UNITED STATES' RESPONSE IN OPPOSITION TO REQUEST FOR TRAVEL**

COMES NOW the United States of America, by and through Alamdar Hamdani United States Attorney for the Southern District of Texas, and Assistant United States Attorney Kelly Zenón-Matos, and respectfully moves this Court to deny Defendant [6] Brooke Dior Brooks motion to travel for the following reasons:

**Background**

On March 20<sup>th</sup>, 2024, a federal grand jury returned an indictment against [1] Jeremiah Jackson and other 5 individuals, to include Defendant [6] BROOKE DIOR BROOKS (hereafter, "Defendant"), for Bank Fraud Conspiracy, Bank Fraud and Mail Theft. In addition, Defendant [6] BROOKS was individually charged in Count 14 with providing **False Statements to Federal Agencies and Agents** in violation of 18, U.S.C. § 1001 (a)(2). (ECF No. 1).

On April 9<sup>th</sup>, 2024, Defendant was placed on conditions of release to include location monitoring through her cellular phone (GPS Smart link system). (ECF No. 57).

On September 13<sup>th</sup>, 2024, Defendant requested permission to travel with her daughter to an event out of the jurisdiction. (ECF No. 87).

On September 16<sup>th</sup>, 2024, the United States Probation Office (hereafter, "USPO") filed Petition for Action on Conditions of Pretrial Release. In said motion, the USPO detailed multiple instances of noncompliance by the Defendant from April through September of 2024. Specifically, the USPO alleged that on various occasions, Defendant had "disabled" the option in her cellular phone that allowed the GPS Smart Link system to monitor her location. (ECF No. 89 at 1-2). In addition, the USPO alleged that Defendant had failed to "check-in" to the system when requested on multiple occasions or had "checked-in" outside of her zone. *Id.*

On September 19<sup>th</sup>, 2024, Hon. District Court Judge Kenneth M Hoyt held an emergency hearing to evaluate Defendant's request to travel. Said request was later denied. (ECF No. 94).

On October 18<sup>th</sup>, 2023, the USPO filed a Superseding Petition for Action on Conditions of Pretrial Release in which they notified the Court of additional failures from the Defendant to "check-in" to the GPS Smart link system in late September and early October of 2024, following the filing of the original Petition. (ECF No. 101).

On October 21<sup>st</sup>, 2024, an initial appearance was held on the petitions filed by the USPO. During the hearing, Hon. Judge Dena H. Palermo, at the government's request,

modified the Defendant's conditions of release by imposing an ankle monitoring device, which was strongly objected by the Defendant.<sup>1</sup>

On October 24<sup>th</sup>, 2024, the undersigned prosecutor contacted the case manager for Hon. Judge Palermo requesting the scheduling of a status conference, instead of a revocation hearing, to evaluate Defendant's compliance with the ankle monitoring device.

On October 28<sup>th</sup>, 2024, while in the middle of the revocation proceeding, Defendant filed new motion requesting permission to travel with her daughter out of state on November 4, 2024. (ECF No. 104).

### **Discussion**

Title 18, United States Code, Section 3148, provides, in pertinent part, that:

- (a) Available sanctions.--**A person** who has been released under section 3142 of this title, and **who has violated a condition of his release, is subject to a revocation of release**, an order of detention, and a prosecution for contempt of court.
- (b) .... **The judicial officer shall enter an order of revocation and detention if**, after a hearing, the judicial officer:
  - (1) finds that there is—
    - (A) ...
    - (B) **clear and convincing evidence that the person has violated any other condition of release**; and

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<sup>1</sup> Prior to the commencement of the hearing, the government offered Defendant the opportunity to wear an ankle monitoring device in exchange for the dismissal of the petition. Defendant declined the offer.

(2) finds that—

(A) ...

(B) **the person is unlikely to abide by any condition or combination of conditions of release.** (emphasis added)

As proffered to Court during the hearings held on September 19<sup>th</sup> and October 21<sup>st</sup>, the government is in possession of overwhelming evidence to support Defendant's noncompliance with her conditions of pretrial release.<sup>2</sup>

Defendant has only been wearing an ankle monitoring device for the past 9 days. Said period is insufficient to conclude that Defendant will fully comply with her conditions of release, due to her recent history of noncompliance.

Considering that Defendant is still in the middle of a revocation proceeding, the government strongly opposes Defendant's request to travel.

Trust is earned when actions meet words.

Defendant has yet to prove that she can be trusted to comply with her conditions of release. Therefore, the government respectfully requests the Court to DENY the Defendant's motion to travel on November 4<sup>th</sup>, 2024.

(SIGNATURES ON NEXT PAGE)

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<sup>2</sup> The government provided Defendant with records obtained from the GPS Smart Link system.

Respectfully submitted in Houston, Texas, this October 30, 2024.

ALAMDAR HAMDANI  
United States Attorney  
Southern District of Texas

/s/ Kelly Zenón-Matos  
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**CERTIFICATE OF CONFERENCE**

I certify that I conferred with counsel for Defendant, via email, on October 28<sup>th</sup> and 30<sup>th</sup>, 2024, to convey the government's opposition to Defendant's request.

/s/ Kelly Zenón-Matos  
Kelly Zenón-Matos  
Assistant United States Attorney  
United States Attorney's Office

**CERTIFICATE OF SERVICE**

A true and correct copy of this document was served on counsels via electronic court filing on October 30, 2024.

/s/ Kelly Zenón-Matos  
Kelly Zenón-Matos  
Assistant United States Attorney  
United States Attorney's Office